



General Assembly

***Substitute Bill No. 5289***

*February Session, 2002*

***AN ACT CONCERNING THE USE OF AUTOMATIC INJECTABLES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. Subsection (a) of section 19a-79 of the general statutes, as  
2       amended by section 48 of public act 01-4 of the June special session, is  
3       repealed and the following is substituted in lieu thereof (*Effective*  
4       *October 1, 2002*):

5       (a) The Commissioner of Public Health shall adopt regulations, in  
6       accordance with the provisions of chapter 54, to carry out the purposes  
7       of sections 19a-77 to 19a-80, inclusive, as amended, and 19a-82 to 19a-  
8       87, inclusive, and to assure that child day care centers and group day  
9       care homes shall meet the health, educational and social needs of  
10      children utilizing such child day care centers and group day care  
11      homes. Such regulations shall (1) specify that before being permitted to  
12      attend any child day care center or group day care home, each child  
13      shall be protected as age-appropriate by adequate immunization  
14      against diphtheria, pertussis, tetanus, poliomyelitis, measles, mumps,  
15      rubella, hemophilus influenzae type B and any other vaccine required  
16      by the schedule of active immunization adopted pursuant to section  
17      19a-7f, including appropriate exemptions for children for whom such  
18      immunization is medically contraindicated and for children whose  
19      parents object to such immunization on religious grounds, (2) specify  
20      conditions under which child day care center directors and teachers  
21      and group day care home providers may administer tests to monitor

22 glucose levels in a child with diagnosed diabetes mellitus, and  
23 administer medicinal preparations, including controlled drugs  
24 specified in the regulations by the commissioner, to a child receiving  
25 child day care services at such child day care center or group day care  
26 home pursuant to the written order of a physician licensed to practice  
27 medicine or a dentist licensed to practice dental medicine in this or  
28 another state, or an advanced practice registered nurse licensed to  
29 prescribe in accordance with section 20-94a, or a physician assistant  
30 licensed to prescribe in accordance with section 20-12d, and the written  
31 authorization of a parent or guardian of such child, (3) specify that an  
32 operator of a child day care center or group day care home, licensed  
33 before January 1, 1986, or an operator who receives a license after  
34 January 1, 1986, for a facility licensed prior to January 1, 1986, shall  
35 provide a minimum of thirty square feet per child of total indoor  
36 usable space, free of furniture except that needed for the children's  
37 purposes, exclusive of toilet rooms, bathrooms, coatrooms, kitchens,  
38 halls, isolation room or other rooms used for purposes other than the  
39 activities of the children, (4) specify that a child day care center or  
40 group day care home licensed after January 1, 1986, shall provide  
41 thirty-five square feet per child of total indoor usable space, [and] (5)  
42 establish appropriate child day care center staffing requirements for  
43 employees certified in cardiopulmonary resuscitation by the American  
44 Red Cross or the American Heart Association, (6) specify that on and  
45 after October 1, 2002, a child day care center or group day care home  
46 shall not deny services to a child on the basis of a child's known or  
47 suspected allergy or because a child has a prescription for an  
48 automatic prefilled cartridge injector or similar automatic injectable  
49 equipment, (7) specify that a child day care center or group day care  
50 home that enrolls a child with a prescription for an automatic prefilled  
51 cartridge injector or similar automatic injectable equipment, shall have  
52 trained staff providing for the administration of medications, on site  
53 during all hours when such a child is allowed on site, within three  
54 weeks of such child's enrollment in such a center or home, (8) specify  
55 that a child day care center or group day care home that enrolls a child  
56 with a prescription for an automatic prefilled cartridge injector or

57 similar automatic injectable equipment, shall require such child's  
58 parent or guardian to provide a copy of the prescription for such  
59 injector or injectable equipment and the injector or injectable  
60 equipment upon enrollment, and (9) specify that a parent or guardian  
61 enrolling a child with a prescription for an automatic prefilled  
62 cartridge injector or similar automatic injectable equipment in a child  
63 day care center or group day care home shall be responsible for  
64 ensuring that such injector or injectable equipment to be used at such  
65 center or home is replaced prior to its expiration date.

66 Sec. 2. Subsection (c) of section 19a-87b of the general statutes is  
67 repealed and the following is substituted in lieu thereof (*Effective*  
68 *October 1, 2002*):

69 (c) The Commissioner of Public Health shall adopt regulations, in  
70 accordance with the provisions of chapter 54, to assure that family day  
71 care homes, as defined in section 19a-77, shall meet the health,  
72 educational and social needs of children utilizing such homes. Such  
73 regulations shall ensure that the family day care home is treated as a  
74 residence, and not an institutional facility. Such regulations shall  
75 specify that each child be protected as age-appropriate by adequate  
76 immunization against diphtheria, pertussis, tetanus, poliomyelitis,  
77 measles, mumps, rubella, hemophilus influenzae type B and any other  
78 vaccine required by the schedule of active immunization adopted  
79 pursuant to section 19a-7f. Such regulations shall provide appropriate  
80 exemptions for children for whom such immunization is medically  
81 contraindicated and for children whose parents object to such  
82 immunization on religious grounds. Such regulations shall also specify  
83 conditions under which family day care home providers may  
84 administer tests to monitor glucose levels in a child with diagnosed  
85 diabetes mellitus, and administer medicinal preparations, including  
86 controlled drugs specified in the regulations by the commissioner, to a  
87 child receiving day care services at a family day care home pursuant to  
88 a written order of a physician licensed to practice medicine in this or  
89 another state, an advanced practice registered nurse licensed to  
90 prescribe in accordance with section 20-94a or a physician assistant

91 licensed to prescribe in accordance with section 20-12d, and the written  
 92 authorization of a parent or guardian of such child. Such regulations  
 93 shall specify appropriate standards for extended care and intermittent  
 94 short-term overnight care. Such regulations shall also specify that a  
 95 family day care home (1) on and after October 1, 2002, shall not deny  
 96 services to a child on the basis of a child's known or suspected allergy  
 97 or because a child has a prescription for an automatic prefilled  
 98 cartridge injector or similar automatic injectable equipment, (2) that  
 99 enrolls a child with a prescription for an automatic prefilled cartridge  
 100 injector or similar automatic injectable equipment, shall have trained  
 101 staff providing for the administration of medications, on site during all  
 102 hours when such a child is allowed on site, within three weeks of such  
 103 child's enrollment in such a home, (3) that enrolls a child with a  
 104 prescription for an automatic prefilled cartridge injector or similar  
 105 automatic injectable equipment, shall require such child's parent or  
 106 guardian to provide a copy of the prescription for such injector or  
 107 injectable equipment and the injector or injectable equipment upon  
 108 enrollment, and (4) enrolls a child with a prescription for an automatic  
 109 prefilled cartridge injector or similar automatic injectable equipment  
 110 shall hold the parent or guardian responsible for ensuring that such  
 111 injector or injectable equipment to be used at such home is replaced  
 112 prior to its expiration date. The commissioner shall inform each  
 113 licensee, by way of a plain language summary provided not later than  
 114 sixty days after the regulation's effective date, of any new or changed  
 115 regulations adopted under this subsection with which a licensee must  
 116 comply.

This act shall take effect as follows:	
Section 1	October 1, 2002
Sec. 2	October 1, 2002

**PH**            *Joint Favorable Subst.*

**HS**            *Joint Favorable*

**APP**      *Joint Favorable*